

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: February 16, 2012

Agenda Item: Nonresident take of raptors for falconry

Division: Enforcement

Action Needed: Approval of Final Rule/Action

Time Needed on Agenda for this Presentation: 10 minutes

Background

The passage of SB 92 in the 2011 Legislature enabled nonresident licensed falconers to capture raptors in Montana for the sport of falconry. This legislation was promulgated due to reciprocity clauses in other states laws that allow nonresidents to capture raptors if the resident's state reciprocates. Montana now needs regulations in place to provide a structure for the nonresident take system similar to what other states have adopted. That structure includes a quota system by raptor species, a reporting system for take, and a fee for nonresident take. At the November 2011 meeting, the FWP Commission approved proposing changes to the administrative rules for nonresident take of raptors.

Public Involvement Process & Results

The proposed rules were published on FWP's website and 111 public comments were received. 79 comments are in support of the proposal and 32 individuals offered comments opposed to the new non-resident take falconry regulations or the practice of falconry in general.

Alternatives and Analysis

Alternative would be to not require any state control on nonresident take and rather allow unlimited and cost free capture or take of raptors from Montana by non-residents.

Agency Recommendation & Rationale

FWP recommends the commission adopt the rules as proposed.

Proposed Motion

I move the commission adopt the administrative rules regarding falconry and nonresident take of raptors in Montana as proposed.